# OFFICE OF THE MERIT COMMISSIONER

Province of British Columbia

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## 2001/2002 Annual Report

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# OFFICE OF THE MERIT COMMISSIONER

## 2001/2002 Annual Report

Province of British Columbia

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OFFICE OF THE
# MERIT COMMISSIONER

The Honourable Claude Richmond
Speaker
Legislative Assembly of British Columbia
Victoria, B.C.
V8V 1X4

Sir:

I have the honour to transmit herewith the 2001/2002 Annual Report of the Office of the Merit Commissioner to the Legislative Assembly, to be laid before the Assembly in accordance with the provisions of section 5.2 of the *Public Service Act*. This report is for the period from October 1, 2001 to March 31, 2002.

Respectfully submitted

Vince Collins
Merit Commissioner

Victoria, British Columbia
May 2002

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OFFICE OF THE
MERIT COMMISSIONER

# From the Merit Commissioner

Created by statute, the Merit Commissioner is responsible for overseeing the application of the merit principle in the British Columbia Public Service. It is my privilege to be the first Merit Commissioner for British Columbia. I am a Legislative Officer and report directly to the Legislative Assembly.

The government established the Merit Commissioner, a unique institution in Canada, based on its commitment to restore and rebuild a strong, professional and vibrant public service. Government recognizes that as it moves to renew services and to reshape government to better serve the needs of British Columbians, a key ingredient will be a professional, non-partisan public service.

My role as Merit Commissioner is to monitor appointments to, and from within, the public service to ensure they are based on merit — that persons appointed to the public service are qualified and competent to do the job with no regard to political or other affiliation.

To fulfil this central role, I am responsible for conducting random audits of appointments to assess whether

- the recruitment and selection processes are properly applied resulting in appointments based on merit, and
- the individual, when appointed, possessed the required qualifications for the position.

We report the results of these compliance audits to deputy ministers or heads of government organizations. My office is available to assist in addressing issues revealed in the audit.

In fulfilling my responsibility for overseeing merit, I will employ various techniques to test the status of merit hiring. One technique will be to prepare and distribute surveys to assess the attitude of the public service respecting the application of the merit principle.

**On August 27, 2001, the Legislative Assembly passed legislation amending the *Public Service Act* to establish the Office of the Merit Commissioner.**

**The Merit Commissioner is appointed by the Lieutenant Governor and Council for a three-year term on the recommendation of the Legislative Assembly. The Legislative Assembly may only recommend an individual unanimously recommended by a special committee of the Assembly.**

**The current Commissioner of the Public Service Employee Relations Commission assumed the position of the Merit Commissioner. This ensured the smooth, efficient and timely introduction of the office of the Merit Commissioner. The next Merit Commissioner will be appointed according to the prescribed process.**

**The Merit Commissioner must report annually to the Legislative Assembly concerning the Merit Comissioner's activities under the *Act* since the last report was made.**

While surveys are not empirical evidence, they do reflect the perceptions of those who are closest to, and most directly affected by, the government's hiring practices.

These perceptions of the public service are noteworthy in their own right, but surveys can also help establish measures to assess change over time. Additionally, surveys may help to inform and guide the work of this Office in defining areas for further study and examination.

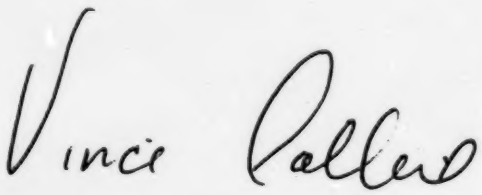
I undertook the first merit survey in February of this year. The results of the survey are both interesting and provocative. Though the random audits revealed that the merit process is not properly applied in less than three per cent of cases, almost one-third of the public service believes that merit is not applied in public service appointments and promotions. This perception represents a challenge for government in terms of restoring and sustaining a professional, competent, non-partisan public service.

I plan to use this survey as a benchmark and will be undertaking follow-up surveys periodically to test changes in public servants' attitudes and perceptions to the application of the merit principle in public service appointments.

My office may also, from time to time, prepare and release special reports on comprehensive audits or reviews of system-wide issues respecting the application of merit. I will perform these reviews as required and in response to specific issues respecting merit that may arise from the ongoing work of the Office.

A professional and non-politicized public service is in the best interests of all British Columbians, as all citizens are dependent upon and expect to be served by competent people who are appointed solely on the basis of their skills and abilities. The Merit Commissioner plays an important role in meeting this end by providing oversight to the application of the principle of merit in public service appointments.

This is the first annual report produced by the Office of the Merit Commissioner and it covers the activities of the Office from its establishment on October 1, 2001 to March 31, 2002.



Signature, Vince Collins
Merit Commissioner

Victoria, British Columbia
May 2002

## Public Service Staffing System — Accountabilities

**Public Service Employee Relations Commission** — responsible for staffing in the public service and sets staffing policies and procedures.

**Ministries** — staffing activity the Commissioner of the Public Service Employee Relations Commission delegated to the ministries.

**Public Service Appeal Board** — responsible for hearing appeals from public service employees who are unsuccessful applicants for public service jobs who believe that the merit principle has not been applied.

**Merit Commissioner** — responsible for providing systemic oversight respecting the application of the merit principle in the British Columbia public service.

## Corporate Overview — Office of the Merit Commissioner

**Vision** — a professional and non-partican public service

**Mission** — to serve the people of British Columbia and the Legislative Assembly by monitoring public service appointments to ensure the application of the merit principle

**Principles** — The Merit Commissioner will operate in a manner consistent with the following principles:

- Fairness and impartiality
- Confidentiality
- Accountability to the Legislative Assembly and British Columbians

**Key responsibilities** — to achieve this vision and meet our mandate, the Office of the Merit Commissioner will:

- Monitor the application of merit by conducting audits of public service appointments
- Undertake special reports of "merit performance reviews" of system-wide issues respecting the application of the merit principle
- Report at least annually to the Legislative Assembly on the application of the merit principle in public service appointments

**Staff and Operating Budget** — The Merit Commissioner is supported by a single staff person, the Director of Audit and Compliance; the operating budget for the Office for the period October 1, 2001 to March 31, 2002 was $107,547 (includes one-time contract expenditures to develop merit audit program and audit selection methodology and contract expenditures to undertake the merit survey).

# The Merit Principle in the Public Service

## the evolution of the merit principle

The British government developed a merit principle in the mid-1850s in response to the need for reform in the British public service. Up to that time, appointments to the public service were based on patronage and considered to be appointments for life. The Northcote-Trevelyan Report of 1853 introduced the concept of the merit principle and recommended that appointments to the British public service be based on competitions and an assessment of fitness to do the job rather than patronage or political affiliation.

In the United States, the spoils system was the accepted practice until a disappointed job applicant assassinated President Garfield — a circumstance which led to the passage of the *Pendleton Act* in 1873.

At the federal level in Canada, a Parliamentary Committee in 1877 recommended establishing an independent commission to manage the civil service, followed in 1908 by the adoption of appointment on merit.

Merit has been a foundation value of the British Columbia public service for almost 100 years. The 1908 *Public Service Act* first required that individuals appointed to the British Columbia public service must pass a public, competitive examination and be certified of good health and character. This developed into the concept that appointments must be made on the basis of an assessment of a person's fitness and ability to perform the duties of the position.

Aside from minor enhancements, the basic requirement remained largely unchanged until 1974 when the government introduced collective bargaining into the public service following the report of the Higgins Commission. The Commission recommended that the merit principle be excluded from collective bargaining on the basis that it is a generally accepted principle that recruitment and promotion in the public service be on merit rather than political or other favouritism.

It further recommended that the British Columbia public service legislation contain a specific definition of the components of merit.

**The "Merit Principle" in British Columbia**

| 1908 Act — No future entrant [to the public service] shall be appointed until he has passed the competitive examination and certification of good health and character as prescribed by the Lieutenant Governor by Order in Council | Present Act — The *Public Service Act* provides that "appointments to and from within the public service must be based on the principle of merit, and be the results of a process designed to appraise the knowledge, skills and abilities of eligible applicants." The *Act* specifies that "the matters to be considered in determining merit must, having regard to the nature of the duties performed, include the applicant's education, skills, knowledge, experience, past work performance and years of continuous service in the public service." |
|---|---|

Since the government adopted the Higgins Report recommendations, legislation has remained relatively unchanged. It requires that "appointments to and from within the public service must be based on the principle of merit and be the result of a process designed to appraise the knowledge, skills and abilities of eligible applicants."

Over the years, a detailed approach to the organization and classification of jobs developed to support the staffing function in the public service. From the 1970s onward, a job specific approach has been in place. Based on the principles of scientific management, highly-detailed classification systems were developed to create defined positions with specific skill sets to support merit-based hiring processes.

## the merit principle today — changes and challenges

Many governments are undertaking a comprehensive review of their public service and human resource management infrastructures.

As they consider ways to operate more effectively and to provide services more efficiently, they have turned their attention to reform their public service. This scrutiny has brought the application of the merit principle in public service appointments and promotions under increasing scrutiny.

Some jurisdictions report that the lengthy, cumbersome, job-specific staffing approach that supports the application of the merit principle is a subject of particular concern.

The rapidly changing world of today's public service often requires that people with basic skills and abilities be appointed and then developed and trained as organizational needs change. However, many believe that the existing public service staffing system is not amenable to this approach.

### Canada (federal)

At the federal level in Canada, the Prime Minister set up a Task Force responsible for the "modernization of human resources management in the federal public service." The Task Force is examining the recruitment and selection process and is considering renewal of the application of the merit principle to make the system more timely, innovative and flexible.

A specific proposal being considered is to adopt a new definition of the merit principle where merit means being "qualified and competent" to do the job rather than the "best qualified."

*"There is no question that the time has come to reform the way we manage our people. . . . We must ensure [that the public service] can continue to grow and adapt to meet the challenges of the new economy."*

*"The first major area of change is one that managers identified as their top concern — staffing. I have heard stories of staffing processes taking months to complete. We must streamline this function, we must foster innovation, promote flexibility and support managers and employees by giving them the right tools. They should never feel that they have to fight the system to bend the rules to do a good job."*

Excerpts from a Speech given by Lucienne Robillard, President of Treasury Board and Minister responsible for human resource modernization in federal public service, December 4, 2001.

## United States

The United States federal public service is also looking at the application of the merit principle in public service appointments and promotions. A recent Merit Systems Protection Board report concluded that there is wide-spread skepticism from both United States federal employees and managers regarding the effectiveness of the federal merit promotions process. A significant proportion of both employees and managers feel that the merit based staffing process does not result in the appointment of the best candidate for the job, that the process is too slow, and that the costs are excessive.

The report recommended that the United States public service consider new ways to assess job applicants and that managers be given greater authority to promote employees without having to apply the formal competitive merit appointment rules. The report recognized that this must be balanced with meaningful, but cost-effective, accountability systems.

## Australia

The Australian public service has recently gone through a massive Human Resource reform initiative to create a flexible operating environment and to transform the public service from a process-oriented to a results-oriented system. One result of this reform process was a Statement of Values for the public service. This Statement includes a concrete, four-part definition of merit that emphasizes the relative qualities of a candidate for employment and describes merit as the primary consideration — not the sole consideration in employment decisions.

A system that recognizes the differences between agencies and positions replaced the existing staffing system based on a single, standardized process for ensuring the application of the application of merit. It allows agencies to develop and introduce more innovative recruitment and selection strategies and approaches to address their specific needs and to meet their business objectives provided that these are in line with the fundamental value of merit-based employment.

## New Zealand

Changes over the last decade to reform the New Zealand public service have resulted in an emphasis on ethical behaviour in the public service versus a standardized system of employment. A Code of Conduct outlines a set of obligations or values that government as an employer must uphold: impartiality, good communication, safe working conditions and equity. The Code also describes the principles of conduct employees must observe: fulfillment of lawful obligations to the government with professionalism and dignity; and performance of official duties with honesty, faithfulness, and efficiency.

## British Columbia

The British Columbia government has signaled its intent to renew and revitalize its public service. An important element of this renewal initiative will be a strategy for the recruitment and selection of a professional, competent public service, including the development and implementation of a simplified, merit-based staffing process. Its goal is to enhance the efficiency and effectiveness of the human resource system and its ability to attract and retain qualified employees.

## Future Directions

The merit principle was created as an administrative reform many years ago to ensure a public service appointed and maintained on the basis of competence to do the job without regard to political affiliation. Unquestionably, the principle of merit is a fundamental tenet of the public service. What is now subject to debate is the approach to applying merit in the context of modern day government. This will require balance. Any new human resource system or approach must take into account the public interest, the right of individuals to fairness in process, as well as the changing needs and demands of government.

# Year in Review

## merit compliance audits

### the audit process

The Office of the Merit Commissioner's first priority following the establishment of the Office in October 1, 2002, was to design and implement the merit compliance audit program.

The merit commissioner legislation requires random audits of appointments to, and from within, the public service. The audits assess whether the recruitment and selection processes were applied properly, resulting in appointments based on merit, and that the appointed individuals possess the required qualifications for the position.

As Merit Commissioner, it is my view that the audit process must be based on professional audit standards and methodology to ensure the necessary level of rigor and objectivity in the assessment of the application of merit. Accordingly, I contracted the Internal Audit and Advisory Branch of the Office of the Comptroller General to assist in the design and development of a program to review completed competition files.

The Branch designed, tested and implemented the methodology for the audit program by mid-November. To support the audit function, it also developed procedures for notifying ministries and agencies and obtaining the required documentation. An overview of the audit process and program is appended. This overview can also be found on the Office of the Merit Commissioner website at www.gov.bc.ca/meritcomm/.

I also contracted with BC STATS to develop a random sampling technique to ensure appointments selected for audit are both random and representative in order to obtain an unbiased picture of the proper application of merit across the public service. See Appendix C for a copy of the report of BC STATS "Random Selection of Cases for Merit Compliance Audits."

### audit results

The sampling methodology BC STATS developed indicated that, in order for the results to be statistically reliable, I had to audit at least 24 competitions (out of a total of 1,481 appointments) distributed according to the various characteristics of appointments for the sample period, June 5, 2001 to October 25, 2001. For the first six months of operation of the Office, I audited 39 public service appointments identified through the random sampling technique BC STATS developed. The appointments were across 15 ministries covering 22 different job classifications. Consistent with the requirements of the legislation, only those appointments made after June 5, 2001 were subject to an audit.

Of the 39 appointments, 67 per cent were appointments of existing public service employees and 33 per cent were new hires to government. Sixty four per cent were competitions restricted to existing public service employees and 36 per cent were open to both public servants and the public.

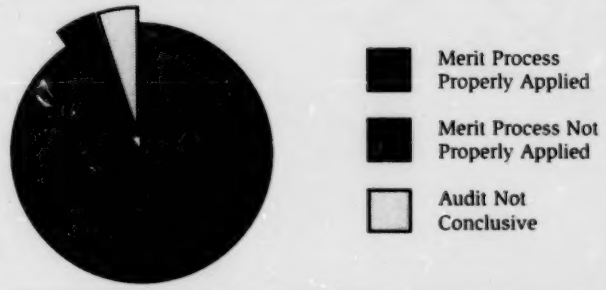
Ministries were advised which appointments were subject to audit and were given seven days to forward the original competition file.

As a result of the 39 audits of competitions conducted for the purposes of this report, my conclusions are that in 95 per cent of competitions, the established recruitment and assessment processes were properly applied.

Of the remaining audits,

- in 2.5 per cent (one competition) it was not possible to conclude whether the required process was fully and properly applied based on the available documentation; and
- in the other 2.5 per cent, I concluded that there were flaws in the process related to the advertising requirements for vacant positions.

**Results — Audits of Public Service Appointments**




Notwithstanding this, no evidence was found in any of the audits to indicate that persons appointed were not qualified for the position.

In ideal circumstances, this initial audit would have found that every selection process reviewed met the test of merit compliance. Indeed, this is the government's stated goal and its achievement is necessary to establish confidence in its public service hiring practices. Regrettably, this is not the case and consequently, government must make further efforts to meet this goal.

## benchmarking public service attitudes to merit

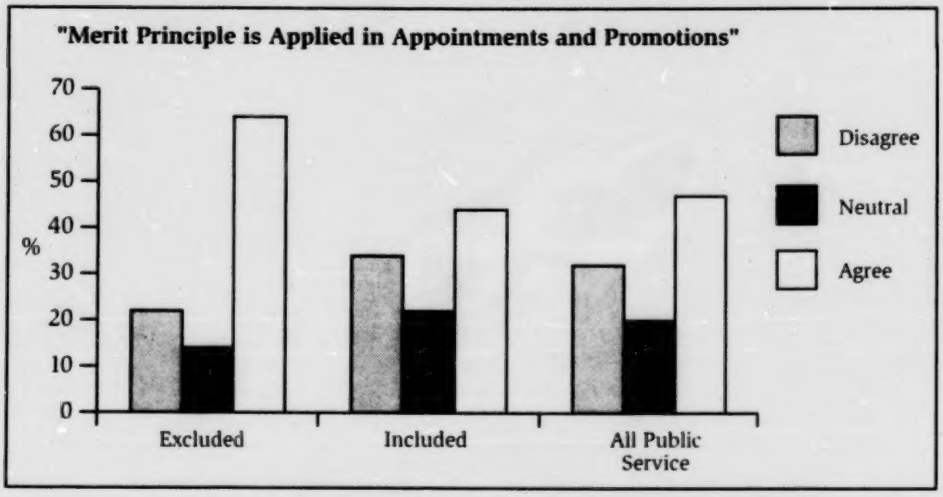
In order to benchmark the perceptions of the public service toward the application of the merit principle in public service appointments and promotions, I contracted BC STATS to undertake a survey of public servants. To test perceptions, they assessed the concept of the merit principle generally, and as broken down into specific elements of competency, diversity, non-partisanship, equal opportunity, fairness and transparency.

The survey was conducted between February 7 and February 15, 2002 using a web-based questionnaire (a copy of the survey is appended for reference). In total, we received 860 of 1,250 surveys — a response rate of 69 per cent.

Forty-seven per cent of the respondents agreed that, *"the merit principle is applied in public service appointments and promotions in my ministry."* Thirty-three per cent disagreed and 20 per cent were neutral. On the other hand, for those who had participated in a competition in the past two years, 70 per cent agreed that they had been treated fairly in the competition.

There was a significant difference in perception between employees who were members of a bargaining unit (included staff) and employees who were not (excluded staff). Only 44 per cent of included staff as compared to 64 per cent of excluded staff agreed that overall

**Results — Survey of Public Service Attitudes to Application of Merit Principle in Recruitment**




merit is applied in their ministry. Interestingly, there was little variation of the perception in the application of merit on a regional basis.

With respect to the specific elements of the merit principle, transparency is the weakest area with only 39 per cent of respondents agreeing that "there is open communication with employees and applicants about budgeting, practices and decisions." The strongest specific element was diversity with 62 per cent of the respondents stating that their ministry did enough to improve the diversity of the workplace.

With respect to the other elements of the principle of merit assessed in the survey:

- almost two-thirds of respondents agreed that their ministry appointed competent people.
- almost two-thirds of respondents stated that their ministry did enough to improve the diversity of the workplace.
- almost two-thirds of respondents agreed that out-of-service recruitment is non-partisan (free from political or bureaucratic patronage); less than half of respondents agreed that in-service promotions are non-partisan whereas one-third disagreed.
- less than half of the respondents agreed that the way staffing is conducted gives equal opportunity to everyone. Less than half agreed that they feel encouraged to participate in competitions in their ministry for which they are qualified. Two-thirds agreed that qualifications used in staffing are reasonable, given the duties to be performed.
- Over half of the respondents agreed that staffing in their ministry is fair.

The federal government recently conducted a similar survey which produced generally the same findings. Thirty per cent of federal public servants perceived their selection process as unfair.

These results are noteworthy for several reasons.

Clearly, the public service perception of merit selection is in stark contrast to the conclusions of my random audits which found that at least 95% of the selections could pass the merit selection test.

Perceptions vary substantially between those who have recently been involved in a public service job selection process and those who have not; with those most recently involved being noticeably more positive towards it. This would seem to suggest that the selection process is actually working better than the general perception reflects.

Similar results from the federal government may suggest that there are real and common issues in large bureaucracies in the disaffection of significant numbers of public servants to their employers' hiring practices. In turn, this would seem to support the respective government's stated intent to undertake a systemic evaluation of their hiring and career promotion practices.

When taken in the broader context of widespread dissatisfaction over their workplace environment, the perceptions of British Columbia's public servants regarding hiring practices, as noted in the most recent Auditor General's report on this topic, strongly suggests that career opportunity and employee job satisfaction are closely correlated.

This office will continue to monitor any policy or practice changes that are adopted both for what impacts these changes have in actual hiring decisions as measured by random audits and for attitudes of those affected by them.

# Appendices

**Appendix A — Assessing the Use of the Merit Principle: The Audit Process and the Audit Program**

**Appendix B — Copy of Merit Audit Program**

**Appendix C — Random Selection of Cases for Merit Compliance Audits, Prepared by BC STATS for the Office of the Merit Commissioner, November 2001**

**Appendix D — The Application of the Merit Principle in Recruitment, A Joint Project of BC STATS and the Office of the Merit Commissioner, March 2002**

# Appendix A

# Assessing the Use of the Merit Principle
# The Audit Process and Audit Program

# 1.0 INTRODUCTION:

## 1.1. What is the purpose of the merit principle?

The merit principle is designed to ensure that the best person is hired for a position. "Merit" means that an assessment is made which is free of patronage and based on competence and ability to do the job.

The *Public Service Act* requires that all appointments to and within the public service be based on the principle of merit unless the appointment is specifically exempt under Section 10 of the legislation.

The Public Service Employee Relations Commission (PSERC) has developed detailed policies for selection and recruitment that promote the use of merit for all eligible public service competitions. The policy is available for viewing at http://www.pserc.gov.bc.ca/policies/policymanual/

## 1.2. Why audit completed job competitions?

In August 2001, amendments to the *Public Service Act* created the Office of the Merit Commissioner with the responsibility to monitor eligible public service appointments and report on whether the merit principle was properly applied. The legislation requires the use of *random audits* of appointments to and from within the public service to assess whether the appointments are based on merit and whether the individuals appointed possess the required qualifications for the position to which they were appointed. The use of an audit process brings rigour and objectivity to the assessment of whether merit was applied.

## 1.3. What is an audit?

An audit is an examination, which compares evidence of performance against predetermined criteria, with the goal of verifying and reporting the performance or results. The auditor is required to gather enough supporting and independent evidence in sufficient detail to support their conclusion. To ensure that files selected for audit are identified at random, the file selection process is done with the assistance of BC Stats using a mathematical sampling technique.

## 1.4. How will results from audits be reported?

The Merit Commissioner will report audit results to Deputy Ministers or other persons having overall responsibility for the ministries, boards, commissions, agencies or organizations audited.

An annual report will also be made to the Legislative Assembly. The report to the Legislative Assembly must not disclose:

- personal information, as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*, relating to individuals who applied for or were appointed to positions in the public service, or
- the identity of persons who participated on behalf of the ministries, boards, commissions, agencies or organizations, as the case may be, in the selection of the individuals appointed to positions in the public service.

## 1.5. What happens if an audit determines that the merit principle was not applied?

The Merit Commissioner is not responsible for investigating individual competitions or hearing complaints or appeals respecting the competition process. Appeals respecting the competition process continue to come under the authority of the Public Service Appeal Board. The Merit Commissioner will only review appointments after the recruitment and selection process, including appeals, is concluded.

The purpose of the audits is to determine and report on whether the merit principle was applied and whether a person(s) has the required qualifications for the position to which they were appointed. The audits will not comment on whether a competition process should be overturned in cases where the merit principle was not applied.

# 2.0 THE AUDIT PROGRAM

## 2.1. What is the audit program?

It is a step by step guide for the review of a competition file. By completing the audit program, an individual will systematically assess information on the file and any additional information provided by panel members or human resource advisors. This systematic review leads to a conclusion on whether the merit principle was applied and whether a person possessed the required qualifications for the position to which they were appointed.

## 2.2. What is the goal of the audit program?

The goal is to determine whether the actions taken in the competition process were reasonable and consistent with the use of the merit principle. The audit program only reviews information that is relevant to making a reasoned decision on whether merit was or was not applied.

## 2.3. What is the relation between the audit program and PSERC policy?

The audit program is only concerned with the steps in a job competition process that are directly relevant to assessing whether the merit principle was applied. The purpose of the audit is not to determine whether every aspect of PSERC recruitment and selection policy was followed.

However, there are certain PSERC policies that are fundamental to a merit based process. For example, Appendix 7 of the PSERC Policy Directive 4.1 sets out the documentation that must be retained in a job competition file. This information is directly relevant to any assessment for the use of the merit principle.

## 2.4. Does each step in the audit program have to be followed in sequence?

No. What matters is that all the sections of the audit program are completed before any conclusions are made about whether merit was or was not applied. The sequence of the program is designed to minimize the number of times that file documentation is handled. This makes it easier and less time consuming to complete the audit program.

## 2.5. Does the audit program allow for creativity in the selection process?

Yes. The program provides space for the auditor to describe the process followed and any exceptions. The audit considers whether all applicants were assessed against the mandatory selection criteria using a process that was fair and consistent. While it does not assume that all competition processes will be structured the same way, it does assume that competitions will have certain aspects in common. This includes but is not limited to: job descriptions; a statement of mandatory selection criteria; consistent and accurate job posting information; a consistently administered process that assesses candidates' experience, education, knowledge and skills in relation to (at a minimum) mandatory selection criteria, and clear and properly communicated selection decisions.

# Appendix B

# Merit Audit Program

BRITISH COLUMBIA Ministry of Finance Internal Audit & Advisory Services **MEMORANDUM**

December 4, 2001
File No.: 2247

To: Vince Collins
Merit Commissioner
Office of the Merit Commissioner

From: Dan Ho
Director, Operations
Ministry of Finance

Subject: Merit Audit Program

We have completed the development of the audit methodology for completed job competition files. We have attached the final merit audit program and draft outline for reports to ministries and the legislature.

The program addresses your audit responsibilities under the *Public Service Act*. Specifically:

"5.1 (1) The Merit Commissioner is responsible for monitoring the application of the merit principle under this Act by:

(a) conducting random audits of appointments to and from within the public service to assess whether:

- the recruitment and selection processes were properly applied to result in appointments based on merit, and
- the individuals when appointed possessed the required qualifications for the positions to which they were appointed, and

(b) reporting the audit results to the deputy ministers or other persons having overall responsibility for the ministries, boards, commissions, agencies or organizations, as the case may be, in which the appointments were made.

5.2 (1) The Merit Commissioner must report annually, no later than May 31, to the Legislative Assembly concerning the merit commissioner's activities under this Act since the last report was made under this section."

Our office developed the audit methodology with the assistance of your staff as well as input from a focus group comprised of human resource professionals and line managers from various ministries.

The specific steps included:

- developing and field testing a preliminary merit audit program;
- facilitating a focus group discussion on the audit program and process;
- revising the merit audit program based on feedback and field testing experience;
- training the Director, Audit and Compliance, Office of the Merit Commissioner in conducting merit audits; and
- carrying out a portion of the current year's merit audits with the Director, Audit and Compliance.

BC Stats also participated in the development of the program's sample selection and sampling methodology.

Office of the Merit Commissioner staff will conduct the audits. The issues encountered in each audit will require a significant degree of judgment to assess their impact on the application of the merit principle. The staff members conducting these audits must have extensive training and experience in the human resource field to deal with the subject area issues as well as knowledge of audit methods. Our office will continue to be available for consultation, advice and training. We recommend that a periodic quality assurance review be carried out on the program to ensure consistency and assess whether issues warrant adjustments to the program.

If the audit program is carried out as designed, we believe that the auditor will examine and obtain sufficient appropriate evidence to form and support an opinion on the application of merit. The results of these audits will allow the Merit Commissioner to reasonably conclude and report on whether:

- the recruitment and selection processes were properly applied to result in appointments based on merit, and
- the individuals when appointed possessed the required qualifications for the positions to which they were appointed.

Limitations:

The audit program is designed to gain reasonable assurance rather than absolute assurance over past events. The audit program is not designed to uncover collusion involving all panel members, a purposeful manipulation of competition file documents or determine the intent behind any misapplication of merit.

We would like to thank you and the Director, Audit and Compliance for your assistance in completing this assignment.

Dan Ho
Director, Operations
Ministry of Finance

Enclosures

**COMPETITION #**_____ Auditor's initial: Date:

**OBTAIN THE ORIGINAL FILE FOR THE HIRING PROCESS UNDER REVIEW THEN COMPLETE THE FOLLOWING QUESTIONS**

| **1. JOB DESCRIPTION** | **Yes** | **No** |
|---|---|---|
| a) Is a job description on file? | ☐ | ☐ |
| b) Is there a statement of qualifications on file? | ☐ | ☐ |

**2. SCORE SUMMARIES**

| | | |
|---|---|---|
| a) Is there a summary list of all applicants on file? | ☐ | ☐ |
| b) Is there a comparative summary showing the results of the screening process? | ☐ | ☐ |

If yes, include summary with audit evidence. If no, please give details:

| | | |
|---|---|---|
| c) Is there a comparative summary of the scores — from every step of the process — for each candidate who passed **beyond** the screening process? | ☐ | ☐ |

What evidence supports this finding? Include this evidence in the audit file.

**3. POSTING INFORMATION**

| | | |
|---|---|---|
| a) Is it clear from the web posting and any other posting information on file that applicants had access to information on the mandatory selection criteria? | ☐ | ☐ |

What evidence supports this finding?

| | | |
|---|---|---|
| b) Do the posted selection criteria match the selection criteria attached to the job description? | ☐ | ☐ |

If no, what are the specific differences?

c) Are the qualifications advertized in the posting reflective of the duties of the job description?

**4. SCREENING PROCESS**

| | | |
|---|---|---|
| a) Were all the applications received tracked and accounted for? | ☐ | ☐ |

What evidence supports this finding?

**COMPETITION #**_____ Auditor's initial: Date:

**4. SCREENING PROCESS (cont.)** **Yes** **No**

b) Were all applicants screened according to the same **mandatory** criteria and process? ☐ ☐

What evidence supports this finding?

c) Were equivalencies acceptable? ☐ ☐

d) If yes, did the screening process take account of candidate's equivalencies? ☐ ☐

e) From the screening records on file:

How many candidates met the mandatory criteria? _____

How many candidates did not meet the mandatory criteria? _____

f) Did the panel revise any **screening** criteria after the competition closed? ☐ ☐

If yes, please give details:

g) If candidates who met the screening criteria withdrew or were deselected by the panel before the next phase of the selection process, is there a reasonable basis for the decision? ☐ ☐

What evidence supports this finding?

**5. Select a judgmental sample (suggest 5-15%) of the applications that were screened out and check whether any of these candidates met the mandatory criteria used for screening.**

Findings:

**COMPETITION #**_____ Auditor's initial: Date:

**To answer the following parts of the audit program, select the file documentation for the successful candidate(s) and all candidate(s) placed on any eligibility list, plus the highest ranked unsuccessful candidate and a candidate with a mid-range score.**

## 6. TESTS, INTERVIEWS AND OTHER ASSESSMENTS

Yes No

a) COMPLETE THE ATTACHED AUDIT WORKSHEET (AWS).

b) When considered as a whole, have the tests, interviews and other assessments administered to candidates addressed all the mandatory selection criteria? ☐ ☐

What evidence supports this finding?

c) For all tests, interviews and other assessments, were there minimum acceptable standards (scores/ratings) to determine that a candidate met the mandatory criteria? ☐ ☐

What evidence supports this finding? (including panel notes)

d) Were all tests, interviews and other assessments scored consistently? ☐ ☐

What evidence supports this finding?

For example: — Compare scoring to the marking key
— Compare scoring between candidates

e) Do the test scores assigned to candidates match the scores on the final rating sheet? ☐ ☐

If no, give details of the discrepancies:

**COMPETITION #**_____ Auditor's initial: Date:

## 7. SELECTION DECISIONS

a) Did the panel correctly assign points for years of service? (if applicable) ☐ ☐

Did any errors influence the final ranking of candidates? ☐ ☐

b) Were reference checks done at some step in the hiring process for all candidates who were offered the position(s)? ☐ ☐

c) Were the reference checks assessed consistently according to criteria relevant to the job? ☐ ☐

What evidence supports this finding?

d) Has any error in scoring tests, interviews, years of service calculations, or reference checks affected the outcome of the competition? ☐ ☐

## 8. REFER TO THE DOCUMENTATION FOR THE SUCCESSFUL CANDIDATE(S) AND ANY CANDIDATES PLACED ON AN ELIGIBILITY LIST:

Does the file documentation confirm that each of these candidates:

a) Applied for the job within the timeline for applications? ☐ ☐
b) Were eligible applicants? ☐ ☐
c) Were made an offer as per policy? ☐ ☐
d) Where a candidate declined an offer, were made offers in order of eligibility? ☐ ☐

If the answer is "no" for any of the above, please give details:

## 9. REGRET LETTERS

a) Were regret letters sent to all candidates who should have received a regret letter? ☐ ☐

**COMPETITION #**_____ Auditor's initial: Date:

## 10. APPEALS

a) Was the competition appealed? ☐

b) Was the appeal due to failure to apply the merit process? ☐

c) Was the appeal successful? ☐

## 11. CONCLUSIONS

| | Yes | No |
|---|---|---|
| a) Does the file documentation indicate that the merit principle was applied? | ☐ | ☐ |
| What evidence supports this finding? | | |
| b) Does the file documentation indicate that the candidates who were offered the position had the required qualifications? | ☐ | ☐ |
| What evidence supports this conclusion? | | |

## 12. ANY FOLLOW-UP REQUIRED?

**FOLLOW-UP**

**Date Completed**

## 13. OTHER COMMENTS

**Name of person(s) who completed this Audit Program**

**Name: Judi Pringle — Office of the Merit Commissioner**

**Phone: 250 387-3908**

**Date:**

**COMPETITION #** _____ Auditor's initial: Date:

**AUDIT WORKSHEET (To be completed as part of Section 6 of the Audit Program)**

**(See reverse side for instructions)**

| MANDATORY SELECTION CRITERIA | ASSESSMENT PROCESS |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| PREFERRED SELECTION CRITERIA | ASSESSMENT PROCESS |
| | |
| | |
| | |

## AUDIT WORKSHEET — INSTRUCTIONS

1. In the left-hand column, list all the mandatory and preferred selection criteria from the web posting as well as any additional criteria listed in the statement of selection criteria attached to the formal job description. Place one criterion per line.

2. Review all tests, interviews, reference questions and other assessments used as part of the selection process. Determine how each of the mandatory selection criteria was assessed and place this information in the right-hand column next to the relevant mandatory criterion. If a specific selection criterion was missed by any tests, interviews, reference questions and other assessments enter "Not Assessed" in the right hand column next to that criterion.

   EXAMPLE: Here is a hypothetical statement of qualifications from a Job Posting:

   "Diploma, certificate or program completion in computer science and at least three years of related experience in business and systems analysis. Basic knowledge of computer systems design. Knowledge of relational database concepts. Excellent technical writing skills."

   Assume that the information in the job competition file shows that the panel used education (Diploma, certificate or program completion in computer science) as a basis for screening the applicants. The panel also used experience to screen applicants and later asked the preferred candidate's references about the preferred candidate's actual experience. The panel assessed "basic knowledge of computer systems design" in the oral interview and tested for "knowledge of relational database concepts" as part of a written test administered to all short-listed candidates. The panel did not test to determine whether each candidate had excellent technical writing skills and did not ask references whether the candidate possessed this skill.

**Using the above example, the audit worksheet for this competition file would be completed as follows:**

| MANDATORY SELECTION CRITERIA | ASSESSMENT PROCESS |
|---|---|
| **EDUCATION** | |
| Diploma, certificate or program completion in computer science | Assessed during the Screening Process |
| **EXPERIENCE** | |
| At least three years of related experience in business and systems analysis | Assessed during the Screening Process<br>Reference Check — Question(s) # _____ |
| **KNOWLEDGE** | |
| Basic knowledge of computer systems design | Oral Interview — Question(s) # _____<br>Reference Check |
| Knowledge of relational database concepts. | Written Test — Question(s)# _____ |
| **SKILLS** | |
| Excellent technical writing skills | Not Assessed |

## Ministry Audit Report

I have conducted _____ random audits of _____ appointments to and from within the public service by the Ministry of _____ for the period from _____ to _____. This included a review of the documentation of _____ applicants to assess whether the recruitment and selection processes were properly applied to result in appointments based on merit and that the individuals appointed possessed the required qualifications for the positions.

Based on my audits:

☐ I conclude that the merit principle was duly applied in all cases.

☐ I conclude that the merit principle was applied with some exceptions as noted below.

☐ I cannot determine whether the merit principle was duly applied.

☐ I conclude that the merit principle was not duly applied.

Comments:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____ _____

Signed Date

## Report to the Legislature

In accordance with Section 5.1 of the *Public Service Act* (R.S.B.C. 1996) I have completed _____ random audits of _____ appointments to and from within the public service for the period from _____ to _____. This included a review of the file documentation of _____ applicants for competitions held in _____ different Ministries.

I have assessed whether the recruitment and selection processes were properly applied to result in appointments based on merit and that the individuals appointed possessed the required qualifications for the positions.

I conclude that the merit principle was duly applied and that individuals appointed possessed the required qualifications in _____ of the _____ competitions reviewed.

I also offer the following comments and recommendations:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____ _____

Signed Date

# Appendix C

# Random Selection of Cases for Merit Compliance Audits

# Random Selection of Cases for Merit Compliance Audits

Prepared by BC STATS for the
Office of the Merit Commissioner

November 2001

BRITISH COLUMBIA

Ministry of Management Services

BC STATS

# BACKGROUND

The Office of the Merit Commissioner was established by legislation in August 2001. Under this legislation, the Merit Commissioner is responsible for performing audits of public service appointments, as part of a program of monitoring the application of the merit principle across government. The results of audits will be reported to senior management in ministries and other ogranizations covered by the Public Service Act. In aggregate, the results will also be communicated to the legislature as part of the annual report of the Commissioner.

The audits are designed to assess whether recruitment and selection was properly applied to result in appointments based on merit, and whether individuals possess the required qualifications for the position to which they were appointed. This requires a close study of the details of each appointment by an expert in the recruitment/selection process.

Because the office of the Commissioner became operational late in the calendar year, only a partial roster of audits is planned prior to the preparation of the first report to the Legislature in May 2002. Although the lesser number of audits will offer only limited potential for drawing general conclusions, it is nonetheless important that they be selected on a random basis, and that they represent as well as possible the various types of recruitment that take place within the public service.

BC STATS has undertaken to ensure that the selected cases are both random and representative. This note describes the appointments that have taken place in the past year, and explains the method that was used to make an audit selection from among these. It concludes by exploring the uses and limitations of the information that will result from the audit process.

# APPOINTMENTS 2001

The legislation creating the Merit Commission designates June 5, 2001 as the start date for selection of eligible appointments[1]. The most recent appointment to be included was effective October 25, 2001. This cut-off was used to allow time for audits to proceed immediately. Following the end of the calendar year, a further selection will be made, covering appointments effective in November and December. Reports for future years are planned on a calendar year basis.

For the five-month period of June through October, a total of 1,481 appointments were made. This figure excludes BC Mental Health Society and Liquor Distribution Branch appointments, which are covered by independent computer systems. These appointments will be included in the further selection to be made early in the coming calendar year. It is also important to note that Order-in-Council (OIC) and Auxiliary appointments are not covered in this study.

The appointments spanned 157 job titles in 42 ministries and public sector organizations. The most common job titles were "Clerk R9" and "Social Program Officer-training level" with 139 and 103 appointments respectively. A majority of appointments were made by four ministries, Children and Family Development, Public Safety and Solicitor General, Human Resources, and Forests. Children and Family Development alone accounted for over 25% of all appointments.

Over 95% of appointments occurred in the Lower Mainland or on Vancouver Island. The City of Victoria alone accounted for 44% of the total.

[1] Bill 10-2001 Section 5.1 (2)

# RANDOM SELECTION OF CASES

Unlike in certain financial audits, the objective of the merit commission study is not to maximize the number of problems detected. Rather, the objective is to even handedly sample recruitment to obtain an unbiased picture of how well recruitment is being performed across the public service. This objective requires a random selection of cases.

Within the objective of randomness, it is also important to ensure that fair coverage is given to the various categories of recruitment that are ongoing. Appointments can be categorized by ministry/organization, by classification, by grid level, by location, by month, by whether they are new hires or internal appointments, and by whether they are permanent, or temporary appointments exceeding seven months.

The number of audits that can be performed in respect of the months of June through October is approximately 20. Because this is a relatively small number, it is impossible to guarantee that all of the many aspects of appointments are covered in the audit selection methodology. Consequently three aspects were selected as being of greatest importance. They were:

- Ministry (ministry size — small or large)
- Status (permanent vs. temporary appointment)
- Type (new hire or not)

Ministry size was based on total regular employment at the start of the study period. Ministries were categorized as large or small, with an employment cut-off of 1,000. Eleven ministries were "large" this criterion.

Since each of the three aspects is divided into two, there are 2x2x2 or 8 "cells" into which appointments can be sorted. In practice, there are no new hires into temporary positions over 7 months, leaving 7 active cells.

To select the cases for audit, each of the 1481 appointments was allocated to one of the seven cells. The number of audits within each cell was calculated as the overall selection ratio (20/1481) multiplied by the number of cases in the cell. The result of this calculation was rounded up to the next single digit (e.g. 5.25 = 6). This number of cases was then obtained from each cell by sorting in purely random order and selecting the required number sequentially.

In summary, random sampling was used to ensure broadly based auditing of all appointments. Correct proportional coverage of large and small ministries, permanent and temporary appointments, and new hires vs. in-service appointments was ensured by sampling independently in these categories. The result was that the chance of audit was identical for each and every appointment, while the correct proportion of audits was guaranteed in the most important categories.

# DISTRIBUTION OF AUDITS

The following five tables show how the audits are distributed according to various characteristics of appointments. The first three tables cover the characteristics that were used in the sample stratification, while the final two tables refer to characteristics that were not explicitly controlled. In all cases, percentages were rounded to whole numbers, and to sum to 100%. Because of the very small size of the sample, even the movement of a single audit from one category to another can change the sample percentages significantly. However, the match between the sample percentages and the corresponding percentages among all appointments is quite close, indicating that the sample is reasonably representative of the whole.

**Audits by Ministry Size**

| MINISTRY | Per cent of all appointments | Number of Audits | Per cent of all audits |
|---|---|---|---|
| Large | 75% | 17 | 71% |
| Small | 25% | 7 | 29% |

**Audits by Status**

| STATUS | Per cent of all appointments | Number of Audits | Per cent of all audits |
|---|---|---|---|
| Permanent | 93% | 21 | 88% |
| Temporary | 7% | 3 | 12% |

**Audits by Employee Type**

| TYPE | Per cent of all appointments | Number of Audits | Per cent of all audits |
|---|---|---|---|
| New Hire | 73% | 19 | 79% |
| Internal | 21% | 5 | 21% |

**Audits by Location**

| LOCATION | Per cent of all appointments | Number of Audits | Per cent of all audits |
|---|---|---|---|
| Victoria | 44% | 8 | 33% |
| Other | 56% | 16 | 67% |

**Audits by GRID**

| SALARY RANGE | Per cent of all appointments | Number of Audits | Per cent of all audits |
|---|---|---|---|
| < $42,000 | 55% | 12 | 50% |
| > $42,000 | 45% | 2 | 50% |

# USES AND LIMITATIONS OF AUDIT RESULTS

The appointments selected for audit are a random and reasonably representative sample of all appointments. Audit results will therefore be unbiased in a statistical sense. However, since the size of the sample is very small, the results may vary widely, due only to chance.

Despite the small number of audits, if the process should uncover no significant problems, then it is reasonable to conclude that there are very few problems in the appointments overall. If however, some problems are detected, then the possibility must be faced that the proportion of problems in the appointments overall may be much larger than the proportion found in the sample. This will be addressed in the more extensive audit program planned for future years. The future program may also include problem area targeting, to improve the efficiency of the audit process.

For the present, results of the 2001 audit in terms of reported percentages of problem appointments should be treated as broad approximations, rather than as "facts" about the recruitment process.

# Appendix D

# The Application of the Merit Principle in Recruitment

**A Joint Project of BC STATS and the Office of the Merit Commissioner**

**March 2002**

# The Application of the Merit Principle in Recruitment

A joint project of BC STATS and
the Office of the Merit Commissioner

March 2002

BRITISH COLUMBIA

Ministry of Management Services

BC STATS

# EXECUTIVE SUMMARY

This report presents the findings of the *Survey of the Application of the Merit Principle in Public Service Appointments and Promotions*, which was conducted on behalf of the Office of the Merit Commissioner.

## Background

The survey was conducted over the period of February 7, 2002 to February 15, 2002. The target population consisted of those currently employed in the public service and considered a regular employee as defined in the *Public Service Act*. Individual responses are kept confidential by BC STATS as required under Section 9 of the *Statistics Act*.

The objective of the survey was to establish a benchmark measure of the perceptions of the public service in general toward the application of the merit principle in public service appointments and promotions. It is intended that this survey work be repeated in future years, in order to track changes in perception through time.

The survey was provided as a web-based questionnaire whereby respondents were e-mailed an introduction letter from Vince Collins, Merit Commissioner, that contained a link to a secure web site housed at BC STATS. One major advantage of the web-based survey is speed. In this case, preliminary results were available just days after the launch of the survey. In total, 860 survey responses were received, for a response rate of 69%.

To put the merit principle into operational terms, the survey addressed the principles of "Competency," "Diversity," 'Non-partisanship," "Equal opportunity," "Fairness" and "Transparency." Each of these was defined in the questionnaire, and followed by one or two questions to determine whether the respondent agreed or disagreed that the principle was being applied in their Ministry. The questions about individual principles were followed by a single overview question about the "application of merit" in the Ministry.

A five point scale, from "strongly disagree" to "strongly agree" was used, with "neutral" as the middle choice. To simplify reporting, this was condensed to a three point "agree," "neutral," "disagree" scale.

## Results

On the overall question, "the merit principle is applied in public service appointments and promotions in my ministry," one third (32%) of respondents disagreed. The remainder were more likely to agree (47%) than to be neutral (20%). However, for those who had participated in a competition in the past two years, 70% agreed that they had been treated fairly in the competition.

There was a very significant difference in perceptions between **included and excluded** staff. Sixty-four per cent of excluded staff agreed that, overall, merit is applied in their ministry, while only 44% of included staff agreed. However, on a **regional** basis, there was little variation in the perception of the application of merit, which is a significant finding in itself.

Turning to the specific attributes of the "merit principle," the **strongest area** overall is "Diversity," where 62% stated that their Ministry did enough to improve diversity of the work force. The principle of "Transparency" is the **weakest area** of the six principles that make up the merit principle. Only 39% overall agreed that there is "open communication with employees and applicants about budgeting, practices, and decisions." Included staff (36%) and excluded staff (54%) shared this low assessment.

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# 1.0 INTRODUCTION

This report presents the findings of the *Survey of the Application of the Merit Principle in Public Service Appointments and Promotions*, which was conducted on behalf of the Office of the Merit Commissioner. The Office of the Merit Commissioner was established in 2001, with responsibility to undertake audits of public service appointments and to report to the Legislative Assembly on the application of the merit principle. The *Survey of the Application of the Merit Principle in Public Service Appointments and Promotions* will contribute to the first annual report on merit to the Legislative Assembly. It also forms a baseline for periodic surveys that will monitor any changes in the application of the merit principle over time.

## 1.1 Background

The Office of the Merit Commissioner approached BC STATS in October 2001 about conducting the survey of the merit principle in public service appointments and promotions The objective of the survey was to establish a benchmark measure of the perceptions of the public service in general toward the application of the merit principle in public service appointments and promotions. The concept of merit was operationalized by adapting a Staffing Values Survey used by the Public Service Commission of Canada. The values measured by the resulting BC STATS survey include Competency, Diversity, Non-partisanship, Equal Opportunity, Fairness and Transparency.

Preparation for the survey began in October. The survey was conducted in seven working days over the period of February 7, 2002 to February 15, 2002. Individual responses are kept confidential by BC STATS as required under Section 9 of the *Statistics Act*, RSBC 1996.

This report provides tabulations using a standardized layout for each of the values covered. Most of the tables distinguish between respondents who are either included in a public-service union, or who are excluded. Exceptions are one table by region.

## 1.2 Outline

The remainder of this document presents the findings in five sections:

- SECTION 2: a summary of the target population, sample design, survey mode, response rate and special notes pertaining to this survey and report,
- SECTION 3: the breakdown of respondents, the results to each question, the overall level of agreement to the question of whether the merit principle is applied in public service appointments and promotions,
- SECTION 4: the comments received from respondents are split into seven main topics and one "Other" category with frequencies and some key remarks by excluded/included,
- APPENDIX I: the survey questions.

# 2.0 METHODS

This section presents a summary of the target population, sample design, survey mode and response rate for the *Survey of the Application of the Merit Principle in Recruitment.*

## 2.1 Target Population

The target population consisted of those currently employed in the public service and considered a regular employee as defined in the *Public Service Act.* This covers all Ministries and the Premier's Office, as well as the Liquor Distribution Branch, the BC Mental Health Society, and a variety of boards, commissions and crown corporations. However, it does not include all crown corporations nor the full range of government organizations. For the purposes of the survey, BC STATS obtained a current list of public servants. It is important to note that the list was current as of January 1, 2002.

## 2.2 Sample Design

It was anticipated that the key variables (for reporting, for sample design, and for response weighting) would be Region, Included/Excluded and Ministry. Region was defined as Victoria, Vancouver (which included the entire Greater Vancouver Regional District) and elsewhere in British Columbia. Included/Excluded was defined as either included in a public service union or not. Ministry was defined by each of the 20 ministries. In addition, Crown Corporations, the Office of the Premier and other "Non-Ministry" organizations that were included were defined as "Other."

Prior to sampling, the population was clustered by Region and Included/Excluded. Population sizes for the resulting six cells ranged from 1,025 to 10,515 people. For reasons of cost, and to limit the use of public service time overall for this survey, the total sample size was set at 1,429. Within this limit, random samples were generated within each cell with the objective of obtaining equal accuracy for each. At this level of detail, the estimates are accurate within ±7 percentage points, 19 times out of 20 (95% confidence). The sample was further controlled by Ministry within each cell, to ensure that the random sample remained representative.

These steps to increase the efficiency of the sample result in "oversampling" and "undersampling" some sections of the population. The survey results were then "weighted" to compensate, allowing for an unbiased report with the greatest possible accuracy. The sample was constructed with the assumption of a 70% response rate. That is, the targeted accuracy would be achieved when 70% of those approached had responded. This would correspond to 1,000 responses in total.

The sample structure for the six cells was as follows:

**FIGURE 1: Total initial sample size: 1,429. Total expected responses: 1,000.**

| | Region | | |
|---|---|---|---|
| | **Victoria** | **Vancouver** | **Other** |
| **Included** | % of pop: 27%<br>% of sample: 17%<br>sample size: 250 | % of pop: 26%<br>% of sample: 17%<br>sample size: 249 | % of pop: 31%<br>% of sample: 18%<br>sample size: 250 |
| **Excluded** | % of pop: 10%<br>% of sample: 17%<br>sample size: 241 | % of pop: 4%<br>% of sample: 15%<br>sample size: 221 | % of pop: 3%<br>% of sample: 15%<br>sample size: 217 |

## 2.3 Survey Mode

The survey was provided as a web-based questionnaire whereby respondents were e-mailed an introduction letter from Vince Collins, Merit Commissioner, that contained a link to a secure web site housed at BC STATS. The link contained individual information to ensure only one submission per respondent. The personalized link opened a web page, with the confidentiality provisions, from which respondents would enter the questionnaire proper. Questions offered responses as radio buttons and comment boxes. A "Next" button helped respondents navigate through the survey; a progress indicator showed respondents their progress. Internal error checking ensured that respondents answered all required portions. Respondents used a "Submit Survey" button once they completed the survey, which sent the data to BC STATS' secure database, where it was stored prior to analysis.

A follow-up e-mail was sent to all public servants who had not responded by Tuesday, February 12th, 2002.

## 2.4 Response Rate

In order to contact the initial selection of 1,429 cases, e-mail addresses were required. Addresses were obtained in 1,267 cases; however, 21 of these proved to be invalid. Some of the addresses that were not obtained belonged to workers in the Liquor Distribution Branch and the BC Mental Health Society. These workers are not covered by the government e-mail directory. Efforts to obtain e-mail addresses directly from these organizations were not successful. The net number of cases for which contact was attempted was 1,246. From the 1,246 total contacts, 860 surveys were submitted, giving an overall response rate of 69% (see FIGURE 2).

**FIGURE 2: Target population and response rate.**

| INITIAL POPULATION | Not contacted | In-scope | Non-response | | | Respondents | RESPONSE RATE |
|---|---|---|---|---|---|---|---|
| | | | Refusal | Out of Office | No Response | | |
| 1,429 | 183 | 1,246 | 38 | 39 | 309 | 860 | 69% |

This level of response yields a margin of error of ± 3.3 percentage points on the key question: "Overall, the merit principle is applied in public service appointments and promotions in my ministry", at the 95% confidence level. This is a high level of accuracy. The accuracy for other questions will vary, depending on the number of respondents for each question and the proportion that select each of the possible answers for the question.

The number of people sampled within each ministry, and response rates by Ministry are provided in FIGURE 3.

**FIGURE 3: Response Rates by Ministry**

| MINISTRY | Sample | Response Rate |
|---|---|---|
| Energy and Mines | 10 | 100% |
| Skills Development and Labour | 24 | 88% |
| Management Services | 78 | 82% |
| Finance | 38 | 82% |
| Community, Aboriginal and Women's Services | 48 | 81% |
| Agriculture, Food and Fisheries | 10 | 80% |
| Advanced Education | 9 | 78% |
| Provincial Revenue | 38 | 76% |
| Water, Land and Air Protection | 33 | 76% |
| Forests | 139 | 74% |
| Transportation | 57 | 74% |
| Public Safety and Solicitor General | 72 | 71% |
| Sustainable Resource Management | 54 | 70% |
| Education | 10 | 70% |
| Child and Family Development | 39 | 69% |
| Human Resources | 141 | 67% |
| Non-Ministry | 136 | 66% |
| Competition, Science and Enterprise | 14 | 64% |
| Ministries of Health | 60 | 63% |
| Attorney General and Treaty Negotiations | 236 | 54% |
| **TOTAL** | **1,246** | **69%** |

The most common reasons for non-response were that:

1. the respondent just did not want to participate,
2. the respondent was too busy to respond,
3. the respondent thought the survey was poorly timed in regards to the recent government layoffs and office closures,
4. the respondent was frustrated by problems getting access to the survey web site,
5. the respondent did not want to respond as the respondent was part of a small office/organization and felt that the responses might be identifiable, notwithstanding BC STATS' assurances of confidentiality.

There was a variety of additional reasons and some respondents gave no reason for not responding.

## 2.5 Tabulations Provided

The sample was designed to provide usable accuracy for Included and Excluded employees, broken down by Region. However, preliminary tabulations show that there is no statistically significant variation in response patterns across the Regions. For this reason, the main tables provided in this report focus on the Included/Excluded differential, which is substantial, and which varies question by question. A sample table by Region is included, but further tabulation has not been judged necessary.

All questions requiring agreement or disagreement in the survey used a five point scale, with two levels of agreement, two of disagreement, and a neutral position. To simplify tabulations, this has been condensed to a three point scale. However, the more detailed scaling is available on request.

# 3.0 RESULTS

This section presents the findings of the *Survey of the Application of the Merit Principle in Recruitment* for the public service. All tables show detail for the Included/Excluded variable. "All Public Service" figures are weighted to accurately account for the proportions of included and excluded employees in the public service.

## 3.1 Respondents

There were 860 respondents. They were asked if, in the last two years, they had had a temporary assignment in excess of seven months and if they had participated as an applicant in a competition in the last two years. These questions indicate that significant proportions of the public service have had direct recent involvement with recruiting practices. This involvement is greater for excluded than for included staff.

**FIGURE 4: Respondents**

| **Temporary Assignment** | | **Excluded** | **Included** |
|---|---|---|---|
| Of the 860 respondents, 154 had a temporary assignment greater than 7 months in the last two years. | **Yes** | 21% | 14% |
| | **No** | 79% | 86% |
| **Been Applicant in a Competition** | | **Excluded** | **Included** |
| Of the 860 respondents, 341 had participated as an applicant in a competition at some time in the last two years. | **Yes** | 44% | 36% |
| | **No** | 56% | 64% |

There is some evidence that recent participation in the system has an effect on individuals' perceptions of the application of the merit principle. However, this may be related to whether or not they were personally successful. For example, 60% of those who had had a temporary assignment, and 60% of those who had won a competition agreed (or strongly agreed) that the merit principle is applied in their ministry. Conversely, only 37% of those that had lost a competition agreed (or strongly agrees) that the merit principle is applied in their ministry. This effect is more pronounced among excluded workers, where 72% of those that had won competitions agreed (or strongly agreed) that the merit principle is applied in their ministry, while only 43% of those who had lost competitions similarly agreed. These figures compare to a 47% agreement rate on the merit principle for the public service overall.

## 3.2 Competency

Competency was defined as "attributes which ensure that Public Servants are qualified to fulfill their Public Service duties." Respondents excluded from a public-sector union as opposed to those included agreed more often that the ministry appointed competent people and that the assessment tools used do identify competent candidates.

**FIGURE 5: Competency**

| **Competent People Appointed** | | **Excluded** | **Included** | **All Public Service** |
|---|---|---|---|---|
| Almost two-thirds of respondents agreed that their ministry appointed competent people. | **Disagree** | 11% | 18% | 17% |
| | **Neutral** | 15% | 25% | 23% |
| | **Agree** | 74% | 57% | 60% |
| **Assessment Tools Identify Competent People** | | **Excluded** | **Included** | **All Public Service** |
| Just over half of respondents agreed that the assessment tools used do identify competent people. | **Disagree** | 22% | 28% | 27% |
| | **Neutral** | 14% | 22% | 20% |
| | **Agree** | 64% | 50% | 52% |

## 3.3 Diversity

Diversity was defined such that "the composition of the Public Service reflects that of the labour market." Excluded respondents stated much more often than included people that their ministry did enough to improve the workforce's diversity.

**FIGURE 6: Improving Diversity**

| **Diversity Improved Enough** | | **Excluded** | **Included** | **All Public Service** |
|---|---|---|---|---|
| Almost two-thirds of respondents stated that their ministry did enough to improve the diversity of the public service workforce. The rest of the respondents, especially included respondents, believed that the ministry did not do enough. | **Not Enough** | 17% | 25% | 24% |
| | **Enough** | 72% | 60% | 62% |
| | **Too Much** | 10% | 15% | 14% |

## 3.4 Non-Partisanship

Non-partisanship recruitment and promotion occurs when "employees are appointed and promoted objectively, free from political or bureaucratic patronage." In-service promotions and out-of service recruitment were asked about separately because they showed differences in responses on the pre-test. Again, differences show; generally, people are more likely to disagree about the non-partisanship of in-service promotions than of out-of-service recruitment.

**FIGURE 7: Non-Partisanship**

| **Non-Partisan In-Service Promotions** | | **Excluded** | **Included** | **All Public Service** |
|---|---|---|---|---|
| Less than half of respondents agreed that in-service promotions are non-partisan whereas one-third disagreed. Excluded respondents significantly differed from included ones in agreeing that promotions are non-partisan. | **Disagree** | 25% | 34% | 33% |
| | **Neutral** | 15% | 21% | 20% |
| | **Agree** | 60% | 45% | 47% |
| **Non-partisan Out-of-Service Recruitment** | | **Excluded** | **Included** | **All Public Service** |
| Almost two-thirds of respondents agreed that out-of-service recruitment is non-partisan. Again, it was excluded respondents more so than included people who agreed that recruitment is non-partisan. | **Disagree** | 13% | 19% | 18% |
| | **Neutral** | 17% | 24% | 23% |
| | **Agree** | 70% | 57% | 59% |

## 3.5 Equal Opportunity

Equal Opportunity was defined as "equal access to employment opportunities." Respondents were asked whether staffing is conducted in a way that gives equal opportunities to everyone, whether they feel encouraged to participate in competitions in their ministry for which they are qualified, and whether the qualifications used in staffing positions are reasonable, given the duties to be performed. People agreed more often that staffing positions had reasonable qualifications than that there are equal opportunities overall or encouraged competing.

**FIGURE 8: Equal Opportunity**

| **Overall Equal Opportunities** | | **Excluded** | **Included** | **All Public Service** |
|---|---|---|---|---|
| Less than half of respondents agreed that the way staffing is conducted gives equal opportunities to everyone, while 38% of respondents disagreed. Again, it was more often excluded people who agreed. | **Disagree** | 30% | 39% | 38% |
| | **Neutral** | 14% | 18% | 18% |
| | **Agree** | 56% | 43% | 45% |
| **Encouraged to Participate in Competitions** | | **Excluded** | **Included** | **All Public Service** |
| Just less than half of respondents agreed that they feel encouraged to participate in competitions in their ministry for which they are qualified. Excluded respondents agreed more than included ones. | **Disagree** | 24% | 31% | 30% |
| | **Neutral** | 22% | 21% | 21% |
| | **Agree** | 54% | 47% | 48% |
| **Reasonable Staffing Qualifications** | | **Excluded** | **Included** | **All Public Service** |
| Two-thirds of respondents agreed that the qualifications used in staffing positions are reasonable, given the duties to be performed. Again, excluded respondents agreed more than included ones. | **Disagree** | 13% | 21% | 19% |
| | **Neutral** | 12% | 15% | 15% |
| | **Agree** | 75% | 64% | 66% |

## 3.6 Fairness

Fairness occurs when "decisions are made objectively, free from political or bureaucratic patronage" and when "practices reflect the just treatment of employees and applicants." All respondents were asked to respond to the statement: "overall, staffing in my ministry is fair."

**FIGURE 9: Fair Staffing Overall**

| Overall Fair Staffing | | Excluded | Included | All Public Service |
|---|---|---|---|---|
| Over half of respondents agreed that staffing is fair in their ministry. Excluded respondents agreed much more often than included people. | **Disagree** | 17% | 29% | 27% |
| | **Neutral** | 19% | 22% | 22% |
| | **Agree** | 63% | 49% | 51% |

Of the 860 respondents, only 341 (41% of the total number of respondents) had participated as an applicant in a competition over the last two years. Of those 341 applicants, there were 190 excluded and 151 included respondents.

**FIGURE 10: Fair Treatment in Competitions**

| Fair Competitions | | Excluded | Included |
|---|---|---|---|
| Almost three-quarters of respondents who had participated as an applicant in a competition over the last two years agreed that they had been treated fairly in those competitions. Excluded and included people agreed with the same frequency. | **Disagree** | 18% | 17% |
| | **Neutral** | 12% | 13% |
| | **Agree** | 70% | 70% |

## 3.7 Transparency

Transparency was defined as "open communication with employees and applicants about budgeting, practices and decisions."

**FIGURE 11: Transparency**

| Overall Transparent Staffing | | Excluded | Included | All Public Service |
|---|---|---|---|---|
| Over one-third of respondents agreed that staffing is transparent in their ministry overall. Excluded people agreed much more often than included people about transparent staffing. | **Disagree** | 22% | 33% | 31% |
| | **Neutral** | 24% | 31% | 29% |
| | **Agree** | 54% | 36% | 39% |
| **Informed Before Position Staffed** | | **Excluded** | **Included** | **All Public Service** |
| Nearly half of respondents agreed that their manager informs the work unit about their plans before staffing a position. Excluded people agreed much more often than included people. | **Disagree** | 26% | 38% | 36% |
| | **Neutral** | 13% | 16% | 16% |
| | **Agree** | 61% | 46% | 48% |

| Selection Method Explained | | Excluded | Included | All Public Service |
|---|---|---|---|---|
| Almost half of respondents agreed that their manager gives explanations, while staffing the position, about the selection method used. Again, excluded and included respondents differed in their frequency of agreement. | **Disagree** | 22% | 40% | 37% |
| | **Neutral** | 20% | 17% | 18% |
| | **Agree** | 58% | 43% | 45% |

| Additional Information Provided | | Excluded | Included | All Public Service |
|---|---|---|---|---|
| Over half of respondents agreed that their manager is ready to provide additional information about positions they are staffing. Excluded people agreed significantly more often than included people to the above statement. | **Disagree** | 14% | 28% | 26% |
| | **Neutral** | 11% | 17% | 16% |
| | **Agree** | 74% | 54% | 58% |

## 3.8 Overall Application of Merit

The key question of the survey, "overall, the merit principle is applied in public service appointments and promotions in my ministry," had a varied response. In general, almost half of respondents agreed that the merit principle is applied overall (see FIGURE 12). The rest of respondents were more likely to disagree than be neutral about the above statement.

**FIGURE 12: Application of the Merit Principle**

| Merit Principle Applied | | Excluded | Included | All Public Service |
|---|---|---|---|---|
| Excluded people agreed significantly more often than included people. However, the rest of the excluded people were more apt to disagree than be neutral as opposed to included people. | **Disagree** | 22% | 34% | 32% |
| | **Neutral** | 14% | 22% | 20% |
| | **Agree** | 64% | 44% | 47 |

Responses are not tabulated by Region throughout this report as differences were not apparent (see FIGURE 13). Such results by Region were typical of other questions.

**FIGURE 13: Application of the Merit Principle by Region**

| Merit Principle Applied by Region | | Other | Vancouver | Victoria | All Public Service |
|---|---|---|---|---|---|
| In comparison with FIGURE 12, the three different regions do not give much information; the estimates for each region lies within the margin of error for the table. | **Disagree** | 31% | 32% | 34% | 32% |
| | **Neutral** | 22% | 18% | 20% | 20% |
| | **Agree** | 47% | 50% | 46% | 47% |

# 4.0 GENERAL COMMENTS

Respondents were asked to provide any further comments that they may have had about the application of the merit principle asked about in the survey. Of 488 comments, 423 were usable (13% of all comments were incomplete). The comments were grouped into seven common topics, and an "Other" topic that included general problems with the merit principle that did not fit under any specific topic, suggestions and general comments. The main topics and their frequencies are shown in FIGURE 14.

**FIGURE 14: Main Topics with Frequencies**

| TOPIC | EXCLUDED | INCLUDED | TOTAL |
|---|---|---|---|
| No merit | 36 | 57 | 93 |
| Merit | 45 | 31 | 76 |
| Interviews Problematic | 16 | 18 | 34 |
| Small/Unit | 14 | 17 | 31 |
| Seniority Issues | 12 | 10 | 22 |
| Sometimes Merit | 12 | 7 | 19 |
| Equity Issues | 6 | 11 | 17 |
| Other | 72 | 59 | 131 |
| **TOTAL** | **213** | **210** | **423** |

"No merit" refers to comments where respondents believe overall that the merit principle is not followed. "Merit" comments were assertions from respondents that the merit principle is followed overall. The "Interviews Problematic" topic includes remarks that the interview process was not a good process of selection. "Small/Unit" comments were from respondents who felt that they could not respond accurately to the survey's units of analysis (ministry and managers) and instead answered to their branch level or other staff level. "Seniority Issues" contained comments that seniority should be reinforced in the merit principle or, conversely, that seniority should not be a determining factor in the hiring process. "Equity Issues" concerned the interaction of the merit principle with diversity issues such as gender, visible minorities, and the disabled.

# 4.1 General Comments: "No Merit"

There were 93 respondents whose comments remarked an overall non-observance of the merit principle. Some key comments are entered below, in no particular order:

EXCLUDED:

- In the sense that promotion is a reward for good performance, there is no such thing in the BC public service. Every competition is a lottery and has little or nothing to do with past performance. — The theory of merit appointment in the public service is, in my view, deeply flawed. While fine in theory, the interview and assessment process can easily be skewed, and generally is, to favour internal and even individual candidates. This in turn creates stovepipes that stifle mobility and any real sense of career planning. At the same time, the process seems to take forever, both for the applicant and the staffer. Far too much time and energy is spent applying for positions that are already spoken for.
- The data collected in this survey will reflect the current crisis situation. In my ministry, the reorg was done behind closed doors and senior staff feathered their own nests. Any reference to transparency is a joke. There were no competitions. There was no obvious application of the merit principle.
- In my 25 years of public service, I can honestly say that the panel process is the most biased, unworthy, exercise in favoritism ever designed. I have watched many instances where a person who is a friend of the chairperson, or who has contacts with higher management, climbed the ladder and is in a position where

  1) he/she cannot handle it;

  2) he/she has no respect of his/her peers or employees; and

  3) he/she makes it hard to trust or respect the panel process.

  I have seen instances where: The best and more respected applicant does not get the job they deserve because of a biased panel. Some panels are predetermined before they are even given. — In this case, why not just appoint the person instead of having all other employees go through the painstaking and often devastating exercise of panelling. Employees having to work under unpopular, inadequate supervisors should be given some say as to who they would like to see as their boss for the near future.
- Although I feel that the process is designed to allow for the application of the merit principal, I feel that the actual results fall short of the principal. HR and Management staff often lack the expertise and resources to ensure that the interview process is comprehensive enough to identify the best candidate.
- Depending on the Manager's experience in putting panels together, you may find the process somewhat inadequate and that less qualified staff are promoted over others.

INCLUDED:

- The process is biased in favour of the person who is currently on a TA in the vacant position unless there is a personality clash.
- Staff are not hired or promoted on merit. Competitions simply rely on 'that day' ability to perform. Qualifications are usually not relevant to the position actual functions.
- I believe some promotions/appointments are based on patronage rather than as a useful tool to select the best qualified individual for the position. Some job descriptions seem to be tailored to suit a particular individual — restricted by geographical location; qualifications; etc.
- No credit is given for strong work ethics and achievements. No attention is paid to past performance in job interviews. Given that there are many people in offices that show no initiative, waste hours a day socializing, make many errors and quite frankly don't give a damn, I believe that either there should be a better way to assess these individuals and get them out of government rather than treat them with kid gloves just because they have a union behind them. It is difficult sometimes to live up to ones own expectations of oneself, when others are plainly not putting in any effort, yet they are treated the same as those who excel. This is my one complaint after working in several offices. Perhaps supervision should be taken more seriously and PP&A's done on a more regular basis. — Thanks for the opportunity to vent!
- There are some individuals that are placed into positions that do not hold the basic requirements i.e., education. This occurs in circumstances where the employee should have been fired, but rather than have this happen, they are moved.
- In my opinion, merit is not valued or recognized within Government. What appears to matter is seniority, formal training (University degree vs Technical Diploma) and the ability to 'Schmooze' (public relations/networking). The quantity or quality of work from an individual is not recognized with either a promotion or reclassification thus, the merit principle can not exist within the Ministry.
- Not enough audits are done to ensure that the merit principles are being followed. As stated they are fine but in order to be effective they must be followed. I know of competitions where unqualified people were hired.
- I think the merit principle has been somewhat watered down since an Public Service observer has been absent. I participated in hiring before the observer, and after the observer was abolished. I did notice that the Merit Principle was somewhat watered down after the observer left. Also without points assigned to specific questions it was left open for management to interpret the overall differences between candidates. This process leaves the hiring procedure open to abuse and a watering down of the Merit Principle. Without an observer and the assigning of points to specific questions any unsuccessful candidate has an uphill battle to try and prove the Merit Principal was not followed or was somewhat abused.

## 4.2 General Comments: "Merit"

There were 76 respondents whose comments remarked an overall observance of the merit principle. Some key comments are entered below, in no particular order:

EXCLUDED:

- By virtue of my role in the ministry I have a greater opportunity than others to see the way appointments take place. Most are done very professionally and objectively. Occasionally some are done with a bias toward a specific individual.
- While I feel the merit principle is applied within the Public Service, I feel the hiring panel process has become encumbered with regulations that have little relevance in terms of hiring the best candidates.
- Most people in the ministry make every attempt to run a fair panel.
- I have been very impressed with the consistency of the Public Service in conducting fair competitions. I have also been told by my references that the reference checks have been some of the best that they have ever been involved with.
- In 25 years service in the corrections branch I have always been impressed with the process used in filling vacant positions. In more recent years, more emphasis has been placed on past work performance which is an encouraging trend.
- Overall, I believe the ministry I work in has always tried to apply the merit of principle, however there has been exceptions both in temporary assignments and appointments.
- Generally the ministry tries to apply the merit principle. The problem is in the process and tools available for appointments and promotions.
- Applicants, whether in-service or out-of service are given full disclosure regarding the selection process. This includes ability to contact the position supervisor, what resources might be helpful in preparing for the interview and what testing methods will be used. The information is provided consistently and not exclusively to one or two applicants. Applicants wanting feedback are encouraged to contact the panel once the selection and appointment process is complete. Interview material is appropriate to the required competencies identified in the job description. In my experience the panel has always made me feel as comfortable as possible and encouraged me to express myself freely within the context of the question(s)without restriction.
- In the panels that I have experienced, either as a panel member or as a participant, I have found the process to be fair. It has also been my experience that the persons being panelled left with a feeling that they had been fairly treated, regardless of outcome.
- I have participated on several panels over the past few years. Our interview process is very difficult including written tests and interviews but at all times, in my experience, the position is designated to the most qualified candidate.
- Overall it is very good but could be reinforced by an all staff e-mail from Deputy Minister. This would be a reminder for all staff.

INCLUDED:

- Having been involved both as an applicant, a panel member and a panel chair, I feel very confident that my ministry applies the merit principle during competitions.
- I think overall staffing in my ministry is fair, however, I've seen situations where it appears an employee is given a special opportunity or extra encouragement.
- It seems that the merit principle is being applied much more readily now than in the past. In the past, the hiring practices have been less than professional.
- I believe that, in general, Ministry makes every effort to develop staffing on basis of merit, but in my experience tools used (e.g., final selection made mostly on results of panelling interview) often results in the most confident applicant being selected,not necessarily the most competent. Would like to see a combination of selection methods used (e.g., reasonable performance measures, less intimidating interview process)so selection is truly on 'merit' rather than ability to perform in front of a group (unless, of course, performing in front of a group is an important component of the job). interviewing/selection process, e.g., the panelling process made less intimidating, given less weight and combined with other forms of selection such as performance measures, in selection process.
- I feel the merit principle is applied equitably within the ministry, given the structure of a union environment and the guidelines that this environment requires.
- Overall, the merit principle is adhered to. More so for level entry positions. I believe that when some management level positions are filled the process is not very transparent and the successful candidate appears to have been hand picked. The same seems to be the case with some secondments.
- I have worked for this Ministry for over twenty years at the field level, and have never seen an example of partisan hiring. I believe the merit principle has, for the most part, been honoured, not just adhered to by this ministry.
- I feel very strongly about the answers I have given although it is very important to note that it is the individual Managers that make each of these the way they are. The Managers that we have working in the staffing area and programs are very caring and intelligent people, they are the ones that make the system work to benefit the staff. The expectations our managers have are very high and the processes they require a staff member to go through to get promoted is difficult. This is important to me as it ensures that the person hired is the best person for the job as well as ensure that the person being selected can actually be successful themselves.

## 4.3 General Comments: "Interviews Problematic"

There were 34 respondents who commented on problems of interviewing:

EXCLUDED:

- As many managers know the merit process we currently employ tends to reward folks who perform well in a interview setting. It does not allow for determining work ethics etc. ... until the reference stage. I'm not sure if there is a better way of hiring staff, but I do suspect that we are missing out on some good candidates because of the staged process we employ.
- Without in depth knowledge of the position panel members can look for narrowly worded phrases in the suggested answers to indicate that a question has been answered and not accept correct answers that are phrased differently. Panel may consist of one or none from the actual position being panelled and the majority on a panel can consist of a Human Resources member and a person from an administration unit who have a different background from the type of position the panel is selecting. The inadvertant result may be the selection of a candidate who is satisfactory to the majority of the panel but not always the most suited to the position. The merit principle is a fine theoretical concept, however in practice the selection may in fact be more subjective. There is no outside evaluation mechanism to determine the actual success rate of the panel selection and if need be identify the need for refinement in the process.
- My only comment is when staffing more senior positions we need to include more mechanisms for testing/understanding a candidates real self and human skills i.e., Some people on the interview trail can mask their real characters.
- Overall I believe that we place to much emphasis on the interview process (not everyone interviews well) and not enough emphasis on does the individual actually have the skill sets and ability to do the job.

INCLUDED:

- The overall way of filling positions is fair but the people who do interviews is not consistent. Different people at different interviews have different ideas of what they are looking for in a person.
- I would suggest that the merit principle as I understand it should take precedent over how ones answers interview questions regarding a position about which the candidate has little knowledge of. i.e., most people bid up the corporate ladder into positions which they might have limited knowledge but have never done the job so to speak. The questions often asked on an interview are such that you are expected to know the new job intimately. This does not assess properly untangibles, etc.
- The whole process of staffing seems to be too rigid and inflexible with little ability to find out about the applicants beyond the series of questions asked during the interview process. The answers to questions are important but so is how the questions were answered.
- Government interview process does not always get the best candidate, but the best interviewer. Industry method of testing has some advantages. i.e., getting to know the

person on a personal basis, talking about previous work. i.e., a less structured interview, not necessarily the exact same questions for everyone. Difficult, I know. Similarly, reference checks with previous supervisors should not necessarily be restricted to a certain set of questions.

## 4.4 General Comments: "Small/Unit"

There were 31 respondents who felt that they could not respond accurately to the survey's units of analysis (ministry and managers) and instead answered to their branch level or other staff level.

EXCLUDED:

- My work experience is within a small registry in a small town (until June 1st). Applicants for jobs are from within the local population, and seem to be selected by the local administrator on the basis of their compatability with herself, and me. Job opportunities are usually on-call positions, and not posted. The administrator usually asks someone if they want the job. While I wouldn't call this an open or fair procedure, it may make for reasonable working conditions.
- This seems to deal primarily with staffing within my specific ministry. For competitions these questions should be extended to all Ministries. It is applying to other Ministries where biases seem to appear and merit is discarded.
- The questionnaire limited issues to Managers. This is not the staff level within this organization that caused me to answer some of the question as I did.

INCLUDED:

- Within my immediate group, there have been no permanent promotions nor new hiring done within the last 2–5 years. As a result, not really able to make a reasonable comment.
- Can only answer questions pertaining to the previous Ministry. Now that we have amalgamated with other Ministries — have no idea what/how the managers deal with issues.
- The questionnaire might have broken the areas down to be a little more specific
  a) Ministry;
  b) Division; and
  c) Branch.

The ministry sets the guidelines and polices but the divisions and branches are responsible to enact the polices which may not be the case.

## 4.5 General Comments: "Seniority Issues"

There were 22 respondents who had issues regarding seniority. Some key comments are as follows, in no particular order:

EXCLUDED:

- In my past experience with various government ministries, seniority is always a more important factor than qualifications. Seniority or 'bumping' should play no part in obtaining a position based on merit.

- Quite often the merit principle is jeopardized by the Union contract, where seniority can override merit.
- Master BCGEU Agreement, Article 12.3 (d) is a barrier to merit.
- I have been with government for eight years. Prior to this I was in the private sector. The significant difference I noted in filling vacant positions is that often times things such as seniority gets in the way of placing the best candidate in to the position.

INCLUDED:

- Seniority counts for way to much. In my opinion, seniority should only count in the event of a tie, in which case the senior applicant should be appointed. In the case of corrections component agreement section 4B, the senior person is ALWAYS allowed to act in a higher classification, regardless of ability or suitability. I believe opportunities to act should be based on ability first, seniority second (if at all).
- Seniority should have a greater role in the appointment and promotion process; hence seniority should have greater 'merit'.
- I think that the merit principle may be hindered in part by the union. Seniority does not mean that someone does a better job.
- I strongly disagree that an applicant should win a position due to the fact the individual has more seniority and is therefore credited points. A successful applicant in a competition should only be determined by who is the most qualified person, not by who has the most seniority.
- I heard of one application where two candidates had the same score in a competition. The one with more seniority was the successor — that was the tiebreaking straw. I don't think seniority should be the sole factor in a tiebreaker.

## 4.6 General Comments: "Sometimes Merit"

Nineteen respondents felt that merit was applied in some situations, but not in others.

EXCLUDED:

- In my Ministry, some branches are more diligent in applying the principles of merit than others. Also these principles are, on occasions, applied more rigorously to union positions than excluded management positions.
- My observation is that management practices and HR's application of policies/standards on hiring (especially related to temporary appointments) vary depending on the program area. In some areas, the merit principle is strictly adhered to, and in other areas, it is not.
- Reasonably strong in Ministries, weak in Crown Corp's and other public agencies.
- By process, the merit principle applies more rigorously to non-excluded positions. This is not an indication that noncompetent people are excluded, only that the process appears less intense. This is perhaps due to the known skills, abilities and experiences of those applying for such positions.

- As a management exclusion, I believe that the merit principle is applied fairly when dealing with staff covered by a collective agreement. I am less confident that that has been the case with the filling of management vacancies — where the network one develops may be more important than the demonstrated skills and abilities and experience.
- Merit principle generally applies to most of organization. At higher levels, e.g., M.L.8 and above it is much less transparent.
- I have seen too many instances in my ministry, at senior levels, where direct appointments are made with no competitive process. There appears to be two rules: what senior managers want to do, and what everyone else must do.

INCLUDED:

- My current manager is excellent and fair. In the past and at other worksites other managers and supervisors have shown favouritism in promoting individuals or used not promoting them as a form of retaliation.
- Overall I feel the lower level classification competitions are based on merit and competency but the higher level promotions and panels are not. My manager said that the appraisals have little weight in her decision to promote.
- It really depends upon the Manager. Some use the process of interviews, skills testing, etc. well and others do not. Therefore, how well the merit principle is applied is dependent upon the individual managers.
- In some cases the merit principle appears to apply. In others there appears to be definite favouritism based on personality rather than merit.

## 4.7 General Comments: "Equity Issues"

Seventeen respondents felt that there are equity issues. Key comments are below.

EXCLUDED:

- I remain concerned about the commitment to create a public service that is representative of our diverse population. There needs to be increased focus on ensuring under represented groups are able to be screened into competitions to assure they have an opportunity to compete. It is not a level playing field right now.
- I do not think that competitions should be limited to anyone from a particular ethnic group solely for the purpose of increasing representation from that group within the Public Service but rather ethnicity of location the position will be in. Same should apply to all special groups, i.e., women, disabled, visible minorities and first nations.

INCLUDED:

- The merit principle can't be defended when the primary objective is to ensure there is diversity. Anyone can argue that competent people are being hired but are the most competent being hired, I don't think so.
- My experience with staffing over the past 6 years has been limited as there has been few opportunities to staff due low turnover and workforce reductions. Also there was a perceived emphasis on women and visible minorities that actively discouraged visible majorities (of which I am one) from participating. However I believe there must always be some subjectivity from interview panels on who the best candidate is. Testing highest does not always yield the best candidate.
- I believe that government must be proactive in the hiring of the disabled and from diversity groups. We must be the example to the community.
- The politically correct agenda in hiring will hopefully fall by the way-side, i.e., most qualified PERSON for the position, period.

## 4.8 General Comments: "Other"

One hundred and thirty one respondents had "other" comments. Key comments are below:

EXCLUDED:

- I strongly believe that the Merit Principle is applied with due diligence in our Ministry. Regrettably, this often has negative results (i.e., not always the best candidate is selected due to the inflexibility of the application of Merit — years of service, etc.). We need to develop staffing tools, that while fair, are practical in application and work to identify the best candidate.
- The presumption is that government hires on the basis of merit. However, more frequently the facade of merit is used to justify decisions that have already been made. Do I have a better solution? None that comes to mind. My comment is that based on the behaviours that I have observed the merit process is used to justify targeted appointments.
- Fairness varies wildly from competition to competition. Sometimes there is an obvious choice due to internal politics, other times there is a measure of fairness. With managers under increasing pressure I'm not sure you can blame people for hiring who they know rather than taking a chance on someone they don't know. It is easy to hire but difficult to get rid of people. — The process is fundamentally flawed however.
- There is too much emphasis put on rigid experience and knowledge standards to screen rather than choosing on the basis of skills and abilities.
- I do not expect the merit principle to be applied evenly within the ranks of the public service. Union politics and self-serving management agenda grossly interfere with the even and unbiased application of merit-based reward.
- I have participated in many competitions over my 15 years in Govt service. The process is too drawn out (it now takes 3–6 weeks from interview to decision) which results in stress and anxiety for participants. This deteriorates the participant's faith that the merit principle is applied fairly and consistently.
- Before we can implement the Merit Principle we need to have a standard document to discuss and record performance and all staff should be trained how to use it. This document should be consistent across Ministries and should allow for comments from peers and co-workers not just supervisor and/or manager.
- I strongly believe in the merit principle and its application within the public service. I am, however; concerned that the process of appeal is overly cumbersome and limiting to employers.
- In order for merit to be fairly considered in the hiring / promotion process, first the jobs to be filled must be accurately described (many of the job descriptions I have seen bear no relationship to reality and are created just to get a classification). Secondly, the performance of employees must be monitored and noted — I have been in the public service now for 8+ years and have NEVER had any sort of performance plan, goals, or review. And I don't know many people who have had these.

- Younger, more creative, innovative and enthusiastic staff should be recruited to lead change within the Ministries. We need some encouragement and reasons to want to stay within government and to continue the extra efforts that some of us are contributing right now.
- I feel there is a need to ensure succession planning allows for employee advancement without going through a full competitive process. However, if this is the case, I think broadbanding salaries would at least allow the manager to determine the level of work the employee is meeting and compensate them appropriately (as opposed to just 'giving' an employee an advancement when an opening occurs).
- I think we're far too obsessed with the principle of merit and taking all the steps to show that a competition was fair in some artificial way. Let managers recruit the best candidates and leave it at that. It should be a management prerogative to hire incumbents in acting positions without a formal competition. No-one wants to spend time on an competitive process that is artificial and where the incumbent predictably wins each time. There is nothing wrong with the incumbent getting the job, but lets just award it to them. I think everyone would win by this process. It happens anyway so why waste energy, time and resources on a predictable outcome?
- The merit principal should be based on more factors: Knowledge, Personal Suitability, Skills and Competency, particularly if the position is required to supervise other staff members.
- Many of the questions in this survey may have stronger responses depending on the directions and commitment of the managers to merit and hopefully a strong desire to recruit only the very best talent. In some cases the drive to include all values in a competition may focus a competition away from the best talent while trying to achieve other objectives. With respect to diversity, it may be difficult in all locations, and may be difficult to maintain.
- I believe we could do a better job of recruitment and interviewing. We could look at the competencies overall for all positions and hire based on what our Ministry mission, vision and values are. Redesign of the tool (panel Q's).
- We should try to focus on promoting people within the public sector instead of placing everything on the best person on the day for a given competition. I understand the need to be fair and equitable. However, I feel that it would be in the best interests of the renewal of the public service and for long term succession planning to consider what staff will be in the future as well as what they are today in filling positions. If you want to bring the best out of more junior staff and stretch them to strive for maximizing potential sometimes it is best to promote people instead of always following a competitive process. This is done sometimes anyway, so let's be honest with staff about it instead of always feeling the need to have a completely competitive process. Thank you
- I feel strongly that merit should be the primary consideration when staffing positions, however it needs to be flexible enough to allow a manager to identify someone who has potential to be the best candidate even if they do not currently have the qualifications. Not only is the staffing process lacking but there is a definite lack of Career Planning,

Training Planning and Performance Appraisals. This would lead into a more effective and meritorious work force in the BC Public Service. Thank you for the opportunity to participate in this survey.

INCLUDED:

- While the official staffing policies and procedures are excellent, all too often they seem to have been quietly bypassed for patronage purposes. The design of this survey did not permit me to make this distinction.
- Although there is fairness of merit in some situations, it is not necessarily how decisions are made in all cases. Many view the process to be selective of managers choice and appointment of people made without reasons being given. I can only speak to what I see and hear of in this region.
- All these questions are way to general. I know some people that deserve to advance on merit, and some that have no business doing the job they are currently at, never mind advance. The same goes for managers, some are extremely good and others really poor. With this said, how can you have proper advancement on merit when there are poor managers around. One manager's Merit (Individual preference) may not be another managers. I work hard, enjoy my job and have an excellent manager, the only thing that holds me from advancing with is PSERC.
- I found your survey rather difficult to respond to as I have not applied for a position nor have I been promoted for many years. — I have very limited contact with managers/ management. My experience of the hiring and firing in my office within the Ministry, is with District Supervisors who like myself pay union dues and therefore are not a part of management. — I think your survey would be better served if answered by individuals who have recently gone through the hiring process. — Over the years I have experienced workers who were hired and did not speak English well enough for the public and staff to understand and they were ultimately let go. Workers who did not have drivers license yet were expected to drive as part of the job. Workers who had mental health problems and active alcoholics. This may speak to our equal opportunity employer, and life. — do not feel like I have been of much help. — However I wish you well in your endeavor.
- The merit principle criteria used appear to be non-standardized and somewhat subjective depending on the position to be applied for and the applicants who are applying.
- While I do believe the merit principle of hiring is worthwhile, I find that the people that are asked to use the merit principle and conduct interviews have little to no idea what they are doing. Not everyone who is asked to be a member of a panel has been trained or even had their role explained to them. There are many questions about what you can/ should and cannot/should not do when a member of these panels. In my opinion, to be effective at staffing the right people to the right positions, the ministry has to make it a priority and not something people do from the side of their desk, when they have time. This is how poor candidates get hired.
- I believe the Job Descriptions in my Branch are fair, as is the classification of each position listed in the Branch. I feel that many of the positions have been filled with applicants that are not qualified to meet their job's duties, and I believe that the competition processes used to identify and rate these candidates against other applicants

are not consistent with PSERC practices. These poor hiring practices have resulted in work inefficiencies which are negatively impacting the Branch's ability to perform its mandate.

- *I believe this alone will not solve issues of staffing position where incumbents have* been working in the position for say 2 years. A revamp of the whole government staffing process needs to be reviewed and revised.
- I think that the ministry should avoid appointments altogether. — I think that every position in the ministry should be posted and the selection of employees should be by what the candidate can do and expertise he/she brings to the job than just past experience only.
- I believe managers should have the right to appoint qualified persons to positions, rather than always having to conduct interviews with many applicants.
- I believe all staffing should be done by merit. It only takes a small percentage of improper appointments to have a negative impact on staff.
- Auxiliaries who have worked in a position (and some of them for years) should be able to roll into that position without panelling. If they are good enough to work in that position they should get that job.
- You should ask how the merit principle can best be safeguarded. My answer to this question is to remove the immediate managers and supervisors from the interview and selection process, and let the HR staff from PSC or other ministries handle the process.
- I believe the merit system should consider attendance and work habits of employees that are up for promotions.
- I think managers need to encourage staff more in career development so they can apply for jobs that are opening in the district office. They should speak to individuals they think are capable of doing a job that would move them up the ladder and encourage them to take training that would prepare them for when an employee retires, etc.

# 5.0 APPENDIX I: THE SURVEY QUESTIONS

**The Office of the Merit Commissioner**

**The Application of the Merit Principle in Public Service Appointments and Promotions**

## A. Welcome

BC STATS is conducting a survey on behalf of the Office of the Merit Commissioner. The objective is to determine how the public service perceives the application of the merit principle in appointments and promotions. An appointment based on merit is one that is free from patronage and based on competence and the ability to do the job. Merit applies to regular appointments to, and from within, the public service and to temporary appointments of more than seven months. We will ask you to answer some questions about your employment history of the last two years and then a few questions on each of six staffing values. This survey should take only about 10 minutes to complete.

**CONFIDENTIALITY:** Responses to this questionnaire will be kept confidential by BC STATS. Under Section 9 of the *Statistics Act*, BC STATS cannot disclose information that could be used to identify an individual return to any person, organization or government agency. Section 9 of the Act applies despite the provisions of the *Freedom of Information and Protection of Privacy Act*.

## B. Your Employment History in the Last Two Years

1. In the last two years, have you had a temporary assignment in excess of seven months?

   ☐ Yes

   ☐ No

2. In the last two years, have you participated as an applicant in a competition?

   ☐ Yes [Go to question 3]

   ☐ No [Go to question 4]

3. Were you successful in any competition(s) that you participated in?

   ☐ Yes

   ☐ No

## C. Staffing Values: COMPETENCY

Competency: Attributes which ensure that Public Servants are qualified to perform their Public Service duties.

4. My ministry appoints competent people.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

5. The assessment tools (interviews, testing, etc.) used, identify competent candidates.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

## D. Staffing Values: DIVERSITY

Diversity: The composition of the Public Service reflects that of the labour market.

6. My ministry does enough, not enough or too much to improve the diversity of the pubic service workforce.

- ☐ Not enough
- ☐ Enough
- ☐ Too much
- ☐ Do not know / No opinion

## E. Staffing Values: NON-PARTISANSHIP

Non-partisanship: Employees are appointed and promoted objectively, free from political or bureaucratic patronage.

7. In-service promotions are non-partisan in my ministry.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

8. Out-of-service recruitment is non-partisan in my ministry.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

## F. Staffing Values: EQUAL OPPORTUNITY

Equal Opportunity: Equal access to employment opportunities.

9. I receive encouragement to participate in competitions in my ministry for jobs that I am qualified to do.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

10. In my ministry, the qualifications used in staffing positions are reasonable, given the duties to be performed.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

11. The way staffing is conducted in my ministry gives equal opportunities to everyone.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

## G. Staffing Values: FAIRNESS

Fairness: Decisions are made objectively, free from political or bureaucratic patronage; practices reflect the just treatment of employees and applicants.

12. I feel that I have been treated fairly in the competition(s) that I have participated in over the last two years. (This question only for people who responded Yes to #2.)

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

13. Overall, staffing in my ministry is fair.

- ☐ Strongly disagree
- ☐ Disagree

- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

## H. Staffing Values: TRANSPARENCY

Transparency: Open communication with employees and applicants about budgeting, assessment practices and hiring decisions.

14. Before staffing a position, my manager informs our work unit of his/her plans.
    - ☐ Strongly disagree
    - ☐ Disagree
    - ☐ Neutral
    - ☐ Agree
    - ☐ Strongly agree
    - ☐ Do not know / No opinion

15. When my manager staffs a position, he/she gives explanations about the selection method used (competition, reclassification, etc.).
    - ☐ Strongly disagree
    - ☐ Disagree
    - ☐ Neutral
    - ☐ Agree
    - ☐ Strongly agree
    - ☐ Do not know / No opinion

16. Generally speaking, managers in my ministry are ready to provide additional informati about positions they are staffing (information, post-interview briefing).
    - ☐ Strongly disagree
    - ☐ Disagree
    - ☐ Neutral
    - ☐ Agree
    - ☐ Strongly agree
    - ☐ Do not know / No opinion

17. Overall, staffing in my ministry is transparent.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree
- ☐ Do not know / No opinion

## I. OVERALL APPLICATION OF MERIT

18. Overall, the merit principle is applied in public service appointments and promotions in my ministry.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

## J. General Comments

19. Please provide us with any comments you may have about the application of the merit principle asked about in this survey:

_____

_____

_____

## K. For Our Benefit at BC STATS

20. Are there any questions we should have asked but did not? Please let us know:

_____

_____

_____

21. Was the wording of the questions easy to understand? If not, please provide us with suggestions:

_____

_____

_____

22. Was the format of the questions easy to use? If not, please provide us with suggestions:

_____

_____

_____

23. Please provide us with any comments you may have about this web-based survey:

_____

_____

_____